



CITY OF ORMOND BEACH

1

P.O. Box 277 • 22 South Beach Street • Ormond Beach, FL 32175-0277 • (386) 676-1574 • Office Fax (386) 676-3330
kent@ormondbeach.org

Troy Kent
City Commissioner
Zone 2

ACCO Unlimited Corporation
5300 Northwest 55th Avenue
Johnston, IA 50131

June 21, 2012

Re: Request for information, specific documentation, and declaration of product safety and effectiveness for your hydrofluosilicic acid products

Dear Sir/Madam,

I am writing this letter of inquiry to you because, as a City Commissioner representing Zone 2 for the City of Ormond Beach, Florida, I am informed that you are generally in the business of producing or re-packaging fluoridation chemicals sold to public drinking water operators for the purpose of fulfilling the legislative intent of reducing the incidence of tooth decay.

Ormond Beach fluoridation program and Florida requirements

The City of Ormond Beach operates a continuing fluoridation program, which has been recently adjusted to accommodate recommendations to lower the concentration of fluoride in the water from the previously recommended "optimum" range to the new single-point concentration of 0.7 ppm. In addition, the City has included on its web site a January 2007 Community Update notice to parents warning them of the use of fluoridated tap water for infant formula. These adjustments and the news that other communities in Florida, and across the country, are revisiting their positions on fluoridation have prompted me to assess what we know about our own program. In my cursory review, to my knowledge we have had no representation from any chemical manufacturer or supplier during discussions in our own community.

As you may know, we are subject to Florida Administrative Code regulations that restrict our use of a direct water additive to those products for which the manufacturer meets ANSI/NSF Standard 60, along with all other laws, regulations, and codes; and we have a duty to use only such fluoridation product for which we have assurance that it specifically will safely and effectively fulfill our City's intent of reducing the incidence of tooth decay.

1

The type of information and assurances that only you as a manufacturer or supplier can provide are essential to properly monitoring our program.

Adoption of request format

Thus, I have adopted herein the format, and content, including certain statements of fact, in the language that I found that other communities have incorporated in their requests with their own already-established suppliers, understanding that a request in this precise language must be of a normal business nature for your company.

In respect for the clarity we seek for each of these issues, I request that you please reply in the specific for each question and request, as numbered.

Need for exact content and impurity of products

A key consideration for our need for accurate information, which necessitates going beyond assurances of non-detection of impurities after your product is diluted, is the recognition that over the last several years there have been large spills of hydrofluosilicic acid, including one spill of more than 400,000 gallons that was reported to be successfully contained after the product had eaten through its storage tank, and another spill of approximately 2000 gallons that was reported as the product having eaten through the concrete retaining wall within a matter of hours, and was not successfully contained.

Follow-up reporting evidently revealed that from documents which an emergency response team might consult to determine exact contents of a spill, including Department of Transportation documentation, Manufacturer's Safety Data Sheets, and NSF certifications, the descriptions of the contents and impurities present in the specific product delivered, or in water system storage, are not consistent with each other or in sufficient detail.

It is apparent that the absence of information presents difficulties for first responders, emergency remediation and response teams, risk management, homeland security, environmental impact review, and accurate assessments for both contaminant quality controls and appropriate permitting. Detailed information is crucial to our Commission's assessment of our selection of the appropriate product and supplier.

As there are no federal safety standards for direct water additives, and no government agency has the authority to make statements for your specific product, I seek the following specifics concerning product content, compliance with Florida statutes, and accountability, from you directly:

Performance in the chain of delivery of fluoridation chemicals

1) Please indicate which function, or functions, that you perform in the chain of delivery of chemicals used by water operators for purposes of fluoridation, i.e., manufacture/produce, supply/distribute, and repackage chemicals; along with the classification of fluoridation chemicals for which you perform these functions.

2) If you do not perform all of the distribution/manufacture/repackage functions in the chain of delivery of the product to a water operator, please identify the names and addresses of the other entities in the chain of delivery of the product you provide to the City of Ormond Beach and the function that these other entities perform.

3) Do any of the fluoridation chemicals that you supply, distribute, produce, or repackage for water operators contain any portion of content that originates from a source outside the U.S., such as China, Russia, Japan or Mexico?

a) If so, please identify the product classification (i.e., sodium fluoride, sodium silicofluoride, hydrofluosilicic acid) and countries of origin.

b) If so, which function or functions do you perform with these products that are, or contain portions of the product that are, from other than U.S. sources (i.e., produce, repackage, distribute only)?

c) If you are not the producer or re-packager of those products that contain portions or all of the contents from a country other than the U.S, which entity in your chain of delivery does perform those functions?

d) For any of your products, if the product is a mixture of U.S. and foreign facility origin, is there an established and consistent mixture ratio? If so, what is that ratio?

e) If so, how is the source, or percentage of the product sourced, from outside the U.S., identified for the recipient water operator?

Product content and compliance with mission goal of delivering the highest quality water economically possible

4) As water supply systems in Florida are limited to purchasing direct water additives only from chemical manufacturers that have met ANSI/NSF Standard 60 for their specific product, and in order for our City to determine with accuracy the content and impurities present in any product we store and intentionally add to our public water supply, please produce a true and dated copy of the complete Product Review Data that the manufacturer and re-packager is required to submit to NSF International under Standard 60 General Requirement, Section 3.2.1 as necessary to merit manufacturer certification at the time of the City of Ormond Beach's purchase contract.

As you are aware, this required Product Formulation Data includes your manufacturer and re-packager disclosure of the contents and maximum presence of EACH known or anticipated contaminant by weight or percentage, along with a list of the toxicological data available on your product, its components, and each of its impurities.

As you know, the scope of the requirements of Standard 60 and this request are not fulfilled by the substitution of an MSDS or certificate of analysis.

5) To eliminate any confusion of whether a certificate of analysis that we might receive from an independent laboratory with delivery of your product will have addressed your declaration of product details as required for submission by Standard 60 as it is published, please identify the laboratory certified by American National Standards Institute (ANSI), or NSF International (NSF), that last issued a certificate of analysis that you disseminate to customers, which requested the product review data that you submitted to NSF from either you or NSF.

a) If the certifying laboratory requested your declaration of product details and relied on such from NSF, please produce the permission from you that allowed NSF to release a copy of your submission containing details required by Section 3.2.1 to the certifying laboratory.

6) Beyond the list of toxicological data, as described as required above to meet NSF Standard 60, please provide a full copy of at least two of the most recent published chronic or sub chronic toxicological studies on hydrofluosilicic acid, with or without commensurate contaminants.

If you are not able to provide a toxicological study of health and behavioral effects of continued use of hydrofluosilicic acid conforming to this request, please state so.

If you are able to provide a study conforming to this request for toxicological studies on continued use health effects for hydrofluosilicic acid, but it is performed on another manufacturer's hydrofluosilicic acid product, please identify the manufacturer and provide a comparison of content and each contaminant between your product and the product that was the subject of the study.

Fulfilling our legislative intent

The representatives of various agencies supporting fluoridation go to great effort to assert that the public policy of fluoridation is safe for all consumers, and is effective at reducing the incidence of tooth decay.

With confusion generated by scientific data showing that fluoride's oral health benefits may be derived only from topical application to the surface of the tooth, rather than from ingestion, and recent warnings concerning mixing infant formulas with fluoridated tap water, it is imperative that the manufacturer of the specific product added to the City of Ormond Beach's public water system is providing a product that will truly fulfill the fluoridation promoters' assertions and our Commission's legislative intent.

7) To assure that the City of Ormond Beach's safety and health claims for the public policy are met by the addition of your specific product to the public water supply, will you as a condition of purchase of hydrofluosilicic acid submit a declaration for your product in the following form?

"This specific product, as it is constituted and inclusive of contaminants, is effective at reducing the incidence of tooth decay when ingested in dilution amounts consistent with new fluoridation goals of 0.7 milligrams of fluoride ion per liter, and is safe for the full range of expected human consumption at these dilution ranges, without known or anticipated adverse health effects over a lifetime, including for infants, children, the elderly, and other populations afforded equal protection."

Request for timely response

As the responses and documents requested herein appear to be of usual business content and necessary for manufacturer's certification for the product you deliver, and I therefore expect this information should be readily available, I thank you in advance for your timely response within the customary 10 day business cycle.

Respectfully,



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Troy Kent
City Commissioner
Zone 2

Solvay Fluorides, LLC
3333 Richmond Avenue
Houston, TX 77098

May 19, 2012

Re: Request for information, specific documentation, and declaration of product safety and effectiveness for your hydrofluosilicic acid products

Dear Sir/Madam,

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As you may know, we are subject to Florida Administrative Code regulations that restrict our use of a direct water additive to those products for which the manufacturer meets ANSI/NSF Standard 60, along with all other laws,

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2



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3

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3



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4



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5



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Respectfully,

Troy Kent

6

PROOF OF SERVICE BY MAIL
STATE OF FLORIDA
COUNTY OF VOLUSIA

Megan Pellicer says:

I am not a party to this action, am over 18 years of age, and reside at Ormond Beach, Florida.

On June 21st, 2012, at 4:30 pm., I mailed an original five-page letter to each of the following Chemical Manufacturers, by mailing the same in a sealed envelope, with postage prepaid thereon, at the Ormond Beach Post Office, Granada Avenue, which is an official depository of the U.S. Postal Service within the State of Florida, addressed to the addressee(s) as indicated below.

Megan Pellicer
Signature

6/21/2012
Date

Chemical Suppliers:

ACCO Unlimited Corporation
5300 Northwest 55th Avenue
Johnston, IA 50131

Alexander Chemical Corporation
1901 Butterfield Road Suite 120
Downers Grove, IL 60515

American Development Corporation
1456 State Camp Road
P.O. Box 385
Vanceboro, NC 28586

American Development Corporation
821 William D. Jones Boulevard
P.O. Box 620
Fayetteville, TN 37334

Brenntag Great Lakes LLC
4420 N. Harley Davidson Ave.
Wauwatosa, WI 53225

Brenntag Mid-South, Inc.
1405 Highway 136 West
P.O. Box 20
Henderson, KY 42420-0020

Brenntag Pacific, Inc.
10747 Patterson Place
Santa Fe Springs, CA 90670

Brenntag Southwest
Route 2, Box 352-200
Nowata, OK 74048

Canada Colors & Chemicals Ltd
6605 Hurontario St. Suite 400
Mississauga, ON L5T0A3
Canada

Carus Corporation
315 Fifth Street
P.O. Box 599
Peru, IL 61354-0599

ClearTech Industries Inc.
2302 Hanselman Avenue
Saskatoon, SK S7L 5Z3
Canada

Davis Supply, Inc.
2454 Palm Avenue
Fort Myers, FL 33916

DPC Enterprises
300 Jackson Hill
Houston, TX 77007

G. S. Robins and Company
126 Chouteau Avenue
St. Louis, MO 63102

George S. Coyne Chem. Co., Inc.
3015 State Road
Croydon, PA 19021

H. Krevit & Co., Inc.
73 Welton Street
New Haven, CT 06511

Haviland Products Co.
421 Ann Street NW
Grand Rapids, MI 49504

Hydrite Chemical Co.
300 N. Patrick Boulevard
Brookfield, WI 53045

Ideal Chemical and Supply Company
4025 Air Park Street
P.O. Box 18698
Memphis, TN 38181-0698

J. R. Simplot Company
999 Main St., Suite 1300
Boise, ID 83702

Mark's Chemical, LLC
118 East North Avenue
Monticello, WI 53570

Martelle Water Treatment Inc.
2275 Royal Oaks Drive
Janesville, WI 53548

Minerals and Metals Trading Co.
164 Junipero Drive Suite 3
Milpitas, CA 95035

Monson Companies
154 Pioneer Drive
Leominster, MA 01453

NAPCO Chemical Company, Inc.
P.O. Box 1239
Spring, TX 77383-1239

PCS Sales (USA), Inc
1101 Skokie Blvd, Suite 400
P.O. Box 3320

Northbrook, IL 60062
PENCCO, Inc.
P.O. Box 600
San Felipe, TX 77473
PVS Nolwood Chemical
10900 Harper Avenue
Detroit, MI 48213-3389

Reliable Industrial Supply Ltd.
50 Mumford Road
Lively, ON P3Y 1L2
Canada

SAL Chemical Company, Inc.
Half Moon Industrial Park
3036 Birch Drive
Weirton, WV 26062

Sierra Chemical Company
2302 Larkin Circle
Sparks, NV 89431

Solvay Fluor Mexico S.A. de C.V.
Carr. Panamerica Km 23.5
Cd. Juarez, Chihuahua
C.P. 32690

Solvay Fluorides, LLC.
3333 Richmond Avenue
Houston, TX 77098

Sowega Chlorinator Company, Inc.
509 9th Ave.
PO Box 3006
Albany, GA 31706

Sulco Chemicals Ltd.
60 First Street East
Elmira, ON N3B 2Z5
Canada

Surry Chemicals, Inc.
241 Hickory Street
PO Box 1447
Mount Airy, NC 27030

The Mosaic Company
8813 Highway 41 South
Riverview, FL 33569

Univar Canada Ltd.
9800 Van Horne Way
Richmond, BC V6X 1W5

Canada
Univar USA Inc.
17425 Northeast Union Hill Road
Redmond, WA 98052

Vertex Chemical Corporation
11685 Manchester Road
St. Louis, MO 63131

DXI Industries, Inc.
300 Jackson Hill
P.O. Box 130410
Houston, TX 77219-0410
United States

General Chemical, LLC
Water Treatment Chemicals
1421 Willis Avenue
Syracuse, NY 13204
United States

PVS Nolwood Chemical
10900 Harper Avenue
Detroit, MI 48213-3389
United States

Webb Chemical Service
Corporation
2708 Jarman Street
Muskegon Heights, MI
49444
United States

Viking Chemical Co.
1827 18th Avenue
P.O. Box 1595
Rockford, IL 61110

Water Guard, Inc.
1903 Herring Avenue
P.O. Box 2226
Wilson, NC 27893

Harcros Chemicals Inc.
5200 Speaker Road
P.O. Box 2930
Kansas City, KS 66110
United States

Intercoastal Trading Inc.
P.O. Box 430
Secretary, MD 21664-0430
United States
800-454-1913
410-228-1111